

O P E S C T Y  
OCT 12 2004  
U. S. PATENT & TRADEMARK OFFICE

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application of:

Kjetil TASKEN et al

Conf. No.: 4681

Appln. No.: 09/428,458

Group Art Unit: 1635

Filed: October 28, 1999

Examiner: Vivlemore, T.

For: USE OF IMMUNOMODULATING AGENTS

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

A copy of the listed document is submitted herewith.

The present Information Disclosure Statement is being filed before the mailing date of the first Office Action after the filing of a Request for Continued Examination (RCE) under §1.114. Therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate

INFORMATION DISCLOSURE STATEMENT  
U.S. Appln. No. 09/428,458

to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

*[Handwritten signature]*  
Respectfully submitted,

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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: October 12, 2004

Substitute for Form 1449 A & B/PTO				<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				Application Number	09/428,458
				Confirmation Number	4681
				Filing Date	October 28, 1999
				First Named Inventor	Kjetil TASKEN et al
				Art Unit	1635
				Examiner Name	Vivlemore, T.
Sheet	1	of	1	Attorney Docket Number	

## **U.S. PATENT DOCUMENTS**

## FOREIGN PATENT DOCUMENTS

## **NON PATENT LITERATURE DOCUMENTS**

NONPATENT EXTERIOR DOCUMENTS		
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.
		Hoffman et al, AIDS, 7:659-664 (1993)

**Examiner Signature** \_\_\_\_\_ **Date Considered** \_\_\_\_\_

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached.